

# NOTICE OF PROPOSED RULE ADOPTION

## STATE OF MISSISSIPPI MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS

### BUREAU OF FISHERIES

MS Department of Wildlife, Fisheries and Parks  
c/o Sam Polles, Ph.D., Executive Director  
1505 Eastover Drive  
Jackson, MS 39211-6374  
(601) 432-2400  
Sharon@mdwfp.state.ms.us

Specific Legal Authority authorizing the  
Promulgation of Rule: 41-1-29-; 25-43.3.103

Reference to Rules repealed, amended or suspended by the  
Proposed Rule: ~~FB~~3428(a)(I)

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

Regulations on Sportfishing

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding: Check one box below:

☒ An oral proceeding is scheduled on this rule on  
Date: June 30, 2005  
Time: 8:30 a.m.  
Place: 1505 Eastover Drive, Jackson, MS 39211-6374

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement: Check one box below:

☒ The agency has determined that an economic impact statement is not required for this rule, or

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Proposed Effective Date of Rule: August 30, 2005

Date Rule Proposed:

June 30, 2005

  
Sam Polles, Ph.D., Executive Director

**MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS**  
**OFFICE OF FISHERIES AND WILDLIFE**  
**BUREAU OF FISHERIES**  
**1505 Eastover Drive**  
**JACKSON, MISSISSIPPI 39211**

**PUBLIC NOTICE OF INTENT NO. F6-3428(a) (I)**

The Mississippi Commission on Wildlife, Fisheries and Parks at a meeting in Jackson, Mississippi on June 30, 2005 under authority of Section 25-43-7, Mississippi Code of 1972, made known its intent to, and thirty days thereafter did, adopt the following regulations on sport fishing. This is done under the authority of Section 49-1-29 of the Mississippi Code of 1972:

Be it ordered that Public Notice F5-3428 is hereby amended and the following rules and regulations relative to sport fishing are adopted:

1. Be it ordered that each person with a valid sport fishing license or those exempt under 49-7-5 may fish no more than 100 single hooks (in aggregate) among the following devices as described:
  - A. Sport fishing trotlines, throwlines, limblines and set hooks may have no more than a total of 100 single hooks in aggregate and these hooks shall be spaced at least two (2) feet apart and fixed to where they cannot slip together.
  - B. No more than a total of 25 yo-yos may be fished by an individual. No more than two (2) single hooks may be attached to a yo-yo. When fished on a line, yo-yo's, limblines, and set hooks must be attached at least two (2) feet apart and fixed to where they cannot slip together.
  - C. No more than 25 free floating fishing devices (FFFD) (Jugs) may be fished by an individual, also, no more than two (2) single hooks may be attached to each of these devices. In Mississippi waters that border adjacent states, the legal number of FFFDs shall be that of the adjacent state or the Mississippi limit, whichever is greater, but not to exceed 50 FFFDs by any individual.

On Eagle Lake in Warren County, Lake Washington in Washington County, Sardis Lake in Panola, Lafayette and Marshall Counties, Enid Lake in Lafayette, Panola and Yalobusha Counties, Grenada Lake in Grenada, Calhoun and Yalobusha Counties and Arkabutla Lake in Tate and Desoto Counties, all Yo-Yos and FFFDs must be legibly marked with either waterproof ink, stamped, or tagged to show the angler's full name and residence address with zip code. Yo-Yo tags shall be attached above water line and furnished by the angler.

Yo-yos & FFFDs must be attended during daylight hours on borderline waters

between Arkansas and Mississippi, Eagle Lake, Lake Washington, Sardis Lake, Enid Lake, Grenada Lake and Arkabutla Lake. Attended means devices must remain in sight of the angler during daylight hours. These devices may be fished at night without attendance.

2. Be it further ordered that legal sport fishing trotlines and/or throwlines, set hooks, limblines, FFFDs and yo-yos may not be fished in the following waters of Mississippi:

- A. Ross Barnett Reservoir— that portion of the reservoir north of the main dam and to a line between the point where Twin Harbors channel enters the main lake under the Natchez Trace in Madison County and the Fannin Landing boat launch in Rankin County, as well as that “the portion of Pelahatchie Bay within one hundred (100) yards from the shoreline of any residence on Pelahatchie Bay and within any marked navigational channel,” also such fishing is prohibited within one hundred (100) yards of any sandbar or in any marked navigational channel between State Highway 43 and Ratliff Ferry.

- B. Sardis Lower Lake from the outlet structure to Spaulding Creek (Barrow Lake) ;however, FFFDs are permitted in the Barrow Lake area.

- C. State Park and State Fishing Lakes. FFFD's are allowed in Lake Charlie Capps but, must be attended and shall not be fished within 100 feet of any pier or ramp.

3. Be it further ordered that legal sport fishing trotlines and/or throwlines, set hooks, limblines, FFFDs and yo-yos may not be fished in the following waters. Also, bank anglers fishing spillways and fishing piers in these waters may use no more than one (1) pole or rod per person. All anglers shall use no more than two (2) single hooks or one treble fish hook no larger than #2 or one artificial lure with no more than three (3) treble hooks no larger than #2.

- A. Bay Springs Reservoir from outlet downstream to Mississippi Hwy 4 overpass.

- B. Lock "E" from spillway outlet downstream to Mile Marker 406.

- C. Lock "D" from spillway outlet downstream to Mile Marker 398.

- D. Lock "C" from spillway outlet downstream to Hwy 78 overpass.

- E. Lock "B" from spillway outlet downstream to Mile Marker 375.

- F. Lock "A" from spillway outlet downstream to Hwy 6 overpass.

- G. Aberdeen Lake from spillway outlet downstream to U.S. highway 45 overpass,

including the auxiliary spillway and associated bank fishing access area in the Tombigbee River cutoff below the dam.

H. Columbus Lake from spillway outlet downstream to Mile Marker 334, including the auxiliary spillway and associated bank fishing access area in the Tombigbee River Cutoff below the dam.

I. Spillways of Ross Barnett and Okatibbee Reservoirs, Grenada, Enid, Sardis and Arkabutla Lakes from spillway outlets to the end of rip rap.

J. Bluff Lake spillway in Noxubee County

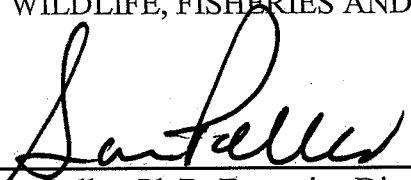
4. Snagging (taking of fish through the use of the handheld pole and attached line with one single or one treble fish hook no larger than #2) for fish is allowed statewide. Snagging is closed on waters noted in #3 of this regulation during November 1 through May 31. Snagged fish are those that are hooked in any other part of the body except the mouth/head, including, but no further back than the gill covers.
5. Only buffalo, carp, gar and bowfin may be taken throughout the year by the use a bow and arrow, spear, crossbow or gig. Persons taking fish using these gears must have a valid sport fishing license or be exempt under 49-7-5.
6. Be it further ordered that taking of non-game gross fish only by hand or rope (no attachments) is legal during the statewide season from May 1 to July 15. However, it is unlawful to alter any natural areas by placing of boards, wire or any other obstruction to said logs, holes etc. or to take fish from such altered devices. Also, it is unlawful to raise any part of a natural or artificial device out of the water thereby aiding in the capture of enclosed fish. Only wooden containers may be used. It is unlawful to place structures such as plastic or metal barrels, hot water tanks, concrete pipe, tires and other non-biodegradable materials in any public waters of the state. Any person grabbing for fish must have a valid sport fishing license.
7. It shall be illegal to possess on the water, both commercial and sport fishing gear in the same boat.
8. Conservation officers may seize any sport fishing gear determined to be unsafe or illegal.
9. It is unlawful to take fish from, tamper with or use any sport fishing gear without the consent of the gear's owner.

Anyone wishing to comment on the above proposed action may do so in writing to the Executive Director, Mississippi Department of Wildlife, Fisheries and Parks, 1505 Eastover Drive, Jackson, MS 39211 no later than July 30, 2005.

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES AND PARKS

BY:   
Noble Lee, Chairman

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS

BY:   
Sam Polles, Ph.D, Executive Director